

IN THE CIRCUIT COURT OF LEE COUNTY, MISSISSIPPI

DOROTHY TURNER

PLAINTIFF

VS.

NO. CV 21- 131(W)L

O'CHARLEY'S, LLC

UNKNOWN DEFENDANT(S) ONE (1) THROUGH TEN (10)

DEFENDANT(S)

S U M M O N S

BY. PROCESS SERVER

THE STATE OF MISSISSIPPI
COUNTY OF LEE

TO: CT CORPOTATION SYSTEM
645 LAKELAND EAST DRIVE, SUITE 101
FLOWOOD, MISSISSIPPI 39232

NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand deliver a copy of a written response to the COMPLAINT to Honorable James C. Patton, Jr., PATTON LAW OFFICE, 107 E. Lampkin Street, Post Office Box 80291, Starkville, MS 39759. Your response must be mailed or delivered within thirty (30) days from the date of this SUMMONS AND COMPLAINT or a JUDGMENT BY DEFAULT will be entered against you for the money or other things in the COMPLAINT.

You must also file the original of your response with the clerk of this Court within a reasonable time afterward.

ISSUED UNDER MY HAND AND THE SEAL OF THIS COURT, this the 29th day of December, 2021.

CAMILLE ROBERTS DULANEY, CIRCUIT CLERK
LEE COUNTY, MISSISSIPPI



BY: Camille Dulaney, Clerk

BY: Adden Zable, D.C.

IN THE CIRCUIT COURT OF LEE COUNTY, MISSISSIPPI

DOROTHY TURNER

PLAINTIFF

VS.

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UNKNOWN DEFENDANT(S) ONE (1) THROUGH TEN (10)

DEFENDANT(S)

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LEE COUNTY, MISSISSIPPI

BY: Cammelle Dulaney, Clerk

BY: adeleu gable, D.C.



IN THE CIRCUIT COURT OF LEE COUNTY, MISSISSIPPI

DOROTHY TURNER

PLAINTIFF

v.

NO. CV21-121(W)L

O'CHARLEY'S, LLC

DEFENDANT(S)

UNKNOWN DEFENDANTS ONE (1) THROUGH TEN (10)

COMPLAINT

COMES NOW, the Plaintiff, Dorothy Turner, by and through counsel James C. Patton, Jr.. and files this her complaint for damages from the injuries she received while dining at Defendant O'Charley's restaurant in Tupelo, Lee County, Mississippi. Dorothy Turner respectfully alleges the following and would show unto the Court the following facts, to-wit:

1. Plaintiff, Dorothy Turner, is an adult resident citizen of Lowndes County, Mississippi.
2. Defendant, O'Charley's, LLC is a foreign corporation licensed to do business in Mississippi and may be served with process at CT CORPORATION SYSTEM, 645 LAKELAND EAST DRIVE, Suite101, Flowood, Mississippi 39232.
3. Unknown Defendants One (1) through Ten (10) are any individuals, partnerships, Limited Liability Companies, contractors, sub-contractors, or either known or unknown to the plaintiff business entity who may have knowledge pertinent to this case. The unknown defendants are also the unusual any individuals present at the scene of the incident described herein whose negligence, upon information and belief, was a contributing cause of the incident and the resulting personal injuries to the Plaintiff, and the Plaintiff reserves the right to amend Complaint should more be discovered.
4. On or about 12/31/2018, Ms Dorothy Turner and her son DeRon S. Turner were, "on a wait" (to be seated) at the O'Charley's Restaurant in Tupelo, Mississippi. While they waited for their

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CAMILLE M. ROBERTS, CIRCUIT CLERK

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table to be ready, they were seated in the seated waiting area behind the hostess. Their server came and got them and as they proceeded to their table, Ms Turner, without warning, slipped and fell hard to her knees hard on what she describes as a slick floor.

5. As a result of defendant(s)' and any employees' active conduct and failure to maintain the premises in a reasonably safe condition and failure to adequately warn patrons such as Dorothy Turner, plaintiff slipped and fell on the floor of said O'Charley's Restaurant, and as a proximate result, plaintiff suffered serious bodily injury which required surgery to the right knee.

6. At the time and place of the said fall, the defendant(s)' negligence was the sole proximate cause of the plaintiff's injuries. Said active conduct on the part of the restaurant, its agents, subsidiaries, contractors, or sub-contractors, or any unknown individual or business entities contracted by the hospital was the sole, proximate and immediate cause of the injuries to the plaintiff resulting from this incident. The plaintiff suffered serious and painful injuries and incurred substantial damages in the amount to be determined by the Court. These damages include, but are not limited to the following:

- a. Past, present, and future medical expenses;
- b. Past, present, and future physical pain and suffering;
- c. Past, present, and future mental and emotional distress;
- d. Inconvenience and discomfort;
- e. Any other relief which the Court or jury deems just or proper based on the circumstances.

WHEREFORE, premises considered, plaintiff demands judgment against Defendant O'Charley's, LLC d/b/a O'Charley's Tupelo, MS. and any and all of the restaurant's known or unknown affiliates, as the result of said defendant(s)' negligent disregard of the safety of the plaintiff

and as such plaintiff seeks actual and compensatory damages and any other relief the Court deems just and proper..

RESPECTFULLY SUBMITTED,



BY: JAMES C. PATTON, JR.

Attorney for the Plaintiff

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Starkville, Mississippi 39759

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OF COUNSEL:

JAMES C. PATTON, JR.

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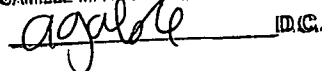
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D.C.